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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,900	03/06/2002	Oh-Dal Kwon	5000-1-243	6304
33942	7590	06/08/2004	EXAMINER	
CHA & REITER, LLC 210 ROUTE 4 EAST STE 103 PARAMUS, NJ 07652			MOONEY, MICHAEL P	
			ART UNIT	PAPER NUMBER
			2877	

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/091,900

Applicant(s)

KWON ET AL.

Examiner

Michael P. Mooney

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am

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 and 13-18 is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8-10 and 19 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

It has become apparent that the subject matter of original claim 7 is rendered obvious under DeVeau et al. Examiner regrets having previously indicated that said original claim 7 subject matter was allowable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4-6, 8-10, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Veau et al. (5994679).

De Veau et al. teaches a housing having peripheral sides with inner and outer side walls, said optical fiber array being fixed in said housing, and said housing having first and second slots formed on respective peripheral sides so as to face each other (e.g., fig. 3 item #s 23, 24), each of the first and second slots having open ends so that the inner and outer side walls of the housing are in communication with each other; and

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first and second boots inserted in the first and second slots, respectively (fig. 3; col. 4 lines 25-35).

Although De Veau et al. (e.g., at fig. 3) teaches a fiber array (and, therefore, an optical fiber) inserted through channeled aperture member/boot 24, De Veau et al. teaches a fiber, while not explicitly stating a “fiber array”, inserted through channeled aperture member/boot 23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to configure channeled aperture member/boot 23 of fig. 3 to receive a fiber array rather than just a single fiber for the purpose of providing multiple inputs to the optical integrated circuit, which is a notoriously well known (NWK) practice for such optical integrated circuit devices. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made for an optical fiber of the optical fiber array to be inserted through the first and second channeled aperture members/boots (23, 24), to fix the optical fiber lengthwise.

Furthermore, De Veau et al. teaches the first and second boots being affixed in their respective slots with an adhesive/epoxy at col. 5 lines 18-50.

Thus claim 1 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the first boot is sized to receive no more than a single optical fiber (See no. 23 of fig. 3). Thus claim 4 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the optical fiber array include a Planar Lightwave Circuitry (PLC) chip, and an input fiber

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block at an input side of the PLC chip, and an output fiber block at an output side of the PLC chip. (fig.3). Thus claim 5 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the optical fiber array is fixed in the housing with an adhesive (col. 5 lines 19-50). Thus claim 6 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the first and second slots are sized to retain the first and second boots (fig. 3; col. 4 lines 25-35). Thus claim 8 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the first and second boots have respective engaging portions, each respective engaging portion being arranged substantially perpendicular to a lengthwise direction of the respective first and second boots (fig. 3; col. 4 lines 25-35). Thus claim 9 is rejected.

De Veau et al. teaches the packaging unit according to claim 1, wherein the respective first and second slots each have a portion substantially perpendicular to a lengthwise direction of the first and second boots to receive the respective engaging portion of the respective first and second boots (fig. 3; col. 4 lines 25-35). Thus claim 10 is rejected.

By the reasons and references given above each and every element of claim 19 is also rejected.

Allowable Subject Matter

Claims 11, 13-18 are allowed.

The prior art, either alone or in combination, does not disclose or render obvious a packaging unit wherein the first boot is sized to receive a single optical fiber and has a cylindrical portion secured in the first slot, a conical portion extended from the cylindrical portion and positioned outside the housing, an opening formed along the center of the cylindrical and conical portions in the length direction, for receiving the single fiber, and an engaging portion extended perpendicularly from the cylindrical portion in combination with the rest of claim 11.

Claims 2-3, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art, either alone or in combination, does not disclose or render obvious a packaging unit wherein the first boot is sized to receive a single optical fiber and has a cylindrical portion secured in the first slot, a conical portion extended from the cylindrical portion and positioned outside the housing, an opening formed along the center of the cylindrical and conical portions in the length direction, for receiving the single fiber, and an engaging portion extended perpendicularly from the cylindrical portion in combination with the rest of claim 2.

The prior art, either alone or in combination, does not disclose or render obvious a packaging unit wherein the second boot is sized to receive a ribbon optical fiber, the second boot having a planar portion secured in the second slot, a tapered portion

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extended from the planar portion and positioned outside the housing, an opening formed along the center of the planar and tapered portions in the length direction, for receiving the ribbon fiber, and an engaging portion extended perpendicularly from the planar portion in combination with the rest of claim 3.

The prior art, either alone or in combination, does not disclose or render obvious a packaging unit wherein the first boot is sized to receive a single optical fiber and has a cylindrical portion secured in the first slot, a conical portion extended from the cylindrical portion and positioned outside the housing, an opening formed along the center of the cylindrical and conical portions in the length direction, for receiving the single fiber, and an engaging portion extended perpendicularly from the cylindrical portion in combination with the rest of claim 20.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Mooney whose telephone number is 571-272-2422. The examiner can normally be reached during weekdays, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-

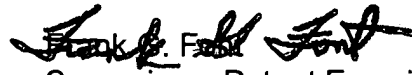
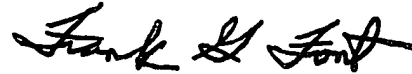
1562.



Michael P. Mooney

Examiner

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Supervisory Patent Examiner

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FGF/mpm

6/1/04